

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

7 KYLE RODNEY,  
8 Plaintiff,  
9 v.  
10 BRIAN SANDOVAL et al.,  
11 Defendants.  
12

3:16-cv-00305-MMD-WGC

## ORDER

13        This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state  
14 prisoner. Plaintiff paid the full filing fee in this matter. (ECF No. 6). The Court entered a  
15 screening order on January 31, 2017. (ECF No. 7). A follow-up order imposed a 90-day stay  
16 and the Court entered a subsequent order in which the parties were assigned to mediation by  
17 a court-appointed mediator. (ECF No. 9, 11). The Office of the Attorney General has filed a  
18 status report indicating that settlement has not been reached and informing the Court of its  
19 intent to proceed with this action. (ECF No. 14).

**IT IS THEREFORE ORDERED** that:

21       1. The Clerk of the Court shall electronically **SERVE** a copy of this order and a copy  
22 of Plaintiff's complaint (ECF No. 8) on the Office of the Attorney General of the State of  
23 Nevada, attention Traci Plotnick.

21       2. Service must be perfected within ninety (90) days from the date of this order  
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23 pursuant to Fed. R. Civ. P. 4(m).

20       3.     Subject to the findings of the screening order and follow-up order (ECF No. 7,  
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29), within **twenty-one (21) days** of the date of entry of this order, the Attorney General's Office  
30 shall file a notice advising the Court and Plaintiff of: (a) the names of the defendants for whom

1 it accepts service; (b) the names of the defendants for whom it does not accept service, and  
2 (c) the names of the defendants for whom it is filing the last-known-address information under  
3 seal. As to any of the named defendants for whom the Attorney General's Office cannot  
4 accept service, the Office shall file, *under seal*, but shall not serve the inmate Plaintiff the last  
5 known address(es) of those defendant(s) for whom it has such information. If the last known  
6 address of the defendant(s) is a post office box, the Attorney General's Office shall attempt  
7 to obtain and provide the last known physical address(es).

8       4. If service cannot be accepted for any of the named defendant(s), Plaintiff shall  
9 file a motion identifying the unserved defendant(s), requesting issuance of a summons, and  
10 specifying a full name and address for the defendant(s). For the defendant(s) as to which the  
11 Attorney General has not provided last-known-address information, Plaintiff shall provide the  
12 full name and address for the defendant(s).

13       5. If the Attorney General accepts service of process for any named defendant(s),  
14 such defendant(s) shall file and serve an answer or other response to the complaint within  
15 **sixty (60) days** from the date of this order.

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1           6. Henceforth, Plaintiff shall serve upon defendant(s) or, if an appearance has been  
2 entered by counsel, upon their attorney(s), a copy of every pleading, motion or other document  
3 submitted for consideration by the Court. Plaintiff shall include with the original document  
4 submitted for filing a certificate stating the date that a true and correct copy of the document  
5 was mailed or electronically filed to the defendants or counsel for the defendants. If counsel  
6 has entered a notice of appearance, Plaintiff shall direct service to the individual attorney  
7 named in the notice of appearance, at the physical or electronic address stated therein. The  
8 Court may disregard any document received by a district judge or magistrate judge which has  
9 not been filed with the Clerk of the Court, and any document received by a district judge,  
10 magistrate judge, or the Clerk of the Court which fails to include a certificate showing proper  
11 service.

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13           DATED: This 26th day of June, 2017.

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*Walter G. Cobb*

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15           United States Magistrate Judge

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